

DECISION NOTICE

Application Ref: R/84/26/PL

1 To Addressee

Scott Taylor Ltd
45 Upper Lewes Road
Brighton
BN2 3FH

2 Site Address

Ground Floor
55-57 Sea Lane
Rustington
BN16 2RQ

3 Description of Development

New commercial kitchen extractor installed on rear facade of outbuilding, alterations to existing windows and doors at rear ground floor level and the erection of a covered walkway structure in rear garden. This application is in CIL Zone 4 and is Zero Rated as other development.

4 In pursuance of their powers under this Act and related Orders and Regulations the Council **PERMIT** this development to be carried out in accordance with the application and plans and subject to the following conditions.

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location Plan
- Site Plan, Photos 038-P-20-003 REVP1
- Site Plan, Existing Ground Floor Plan and Elevations 038-P-20-001 REVP1
- Site Plan, Proposed Ground Floor Plan and Elevations 038-P-20-002 REVP1

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 3 Prior to the first operation of the premises, a scheme and maintenance schedule for the extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on

the premises, shall be submitted to, and approved in writing by the Local Planning Authority. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises and shall thereafter be operated and retained in compliance with the approved scheme.

The applicant should refer to the following document:
<https://www.ricardo.com/en/resources/control-of-odour-and-noise-from-commercial-kitchen-exhaust-systems>

Reason: To protect the amenity of nearby residents in accordance with Arun Local Plan policy QE SP1.

- 4 Prior to first operation of the extractor, a scheme for protecting the existing noise sensitive residential dwellings above and adjacent to the site shall be prepared by a competent person and submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be completed before the extractor is first used and retained and maintained in perpetuity. The scheme shall be designed to achieve a minimum airborne sound insulation value of 50dB (DnT, w + Ctr) for floors/ceilings and 48dB (DnT, w + Ctr) for walls. The applicant should review the Planning Noise Advice Document - Sussex, November 2023: <https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n19846.pdf&ver=24686>

Reason: To protect the amenity of local residents in accordance with the Arun Local Plan policy QE SP1.

Statutory Biodiversity Gain Plan Condition

- 5 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

INFORMATIVE: This permission does not grant permission for the change of use of 55-57 Sea to a restaurant, and the approval does not confirm the lawfulness of the proposed use. If the applicant wishes to confirm that this use would be lawful, an application for a Lawful Development Certificate would be required.

INFORMATIVE: The business may be required to submit a Food Registration Form to the Environmental Health Team 28 days before opening. For further advice, please contact: food@arun.gov.uk, 01903 737555, <https://www.arun.gov.uk/food-premises-registration>.

INFORMATIVE: The use hereby permitted will be required to provide the suitable provision of sanitary accommodation in accordance with the 1976 Local Government Miscellaneous Provisions Act. Please see: <https://www.arun.gov.uk/running-a-food-business#toilets>

INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted

positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the NPPF.



Neil Crowther
Group Head of Planning

Case Officer: Hebe Smith

Decision Issued: **27th August 2026**

Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, and you want to appeal against this planning application decision, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against this planning application decision, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Otherwise, if you want to appeal against this decision then you must do so within 6 months of the date of this notice.

Appeals should be made on line via Appeal A Planning Decision <https://appeal-planning-decision.service.gov.uk/before-you-start> If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of the support options available.

Before making an appeal, you may find it useful to review guidance and watch a video explaining the appeals process at <https://www.gov.uk/government/collections/make-an-appeal-to-the-planning-inspectorate-and-associated-guidance>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

PURCHASE NOTICES

If either the local planning authority or the Secretary of State refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for the Park, or in any other case the district council in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town & Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building

Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).